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United States Attorney
District of Hawaii

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII
JT
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Attorneys for Plaintiff
UNITED STATES OF AMERICA

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,) CR. NO. **20-00072 JMS**
)
Plaintiff,) INFORMATION
)
vs.) [16 U.S.C. §§ 3372(a)(1) and
) 3371(d)(1)]
HAMADA SUISAN CO. LTD. aka)
“Hamada Suisan Kabushiki Kaisha”)
)
)
Defendant.)
)

INFORMATION

The U.S. Attorney charges:

Lacey Act Trafficking
Attempted Export of Fish
Possessed and Transported in Violation of Underlying Federal Law
(16 U.S.C. §§ 3372(a)(1) and 3373(d)(1))

On or about November 7, 2018, in the District of Hawaii and elsewhere, HAMADA SUISAN CO. LTD., aka “Hamada Suisan Kabushiki Kaisha,” the defendant, did knowingly aid and abet the attempted export of fish, namely, shark fins, which defendant knew were possessed and transported, and were in fact possessed and transported, in violation of and in a manner unlawful under federal law, specifically the Magnuson-Stevens Fishery Conservation and Management Act, Title 16, United States Code, Section 1857(1)(A); the Shark Conservation Act, Title 16, United States Code, Section 1857(1)(P)(iv), and Title 50, Code of Federal Regulations, Section 600.1203(a)(5); and the Endangered Species Act, Title 16, United States Code, Section 1538(c)(1).

All in violation of Title 16, United States Code, Sections 3372(a)(1) and 3373(d)(1).

Forfeiture Notice

1. Upon conviction of the offense alleged in this Information, the defendant, HAMADA SUISAN CO. LTD., aka “Hamada Suisan Kabushiki Kaisha,” shall forfeit to the United States pursuant to Title 16, United States

Code, Section 3374, Title 18 United States Code Section 981(a)(1)(C), and Title 28, United States Code, Section 2461(c), (1) all fish imported, exported, transported, sold, received, acquired, or purchased during the commission of the offense; and (2) all vessels, vehicles, and other equipment used to aid in the exporting, transporting, selling, receiving, acquiring, or purchasing of fish in the commission of the offense. The property to be forfeited includes, without limitation:

- a. All shark fins seized from crew members of the Kyoshin Maru No. 20 on or about November 7, 2018, in Honolulu, Hawaii;
- b. The fishing vessel Kyoshin Maru No. 20.

2. If any of the property identified as being forfeitable pursuant to Title 16, United States Code, Section 3374, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with a third party;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been co-mingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 16, United States Code, Section 3374(b)

and Title 28, United States Code, Section 2461(c), to seek forfeiture of any other property of the defendant, up to the value of the property described in Paragraph 1(a) – (b), above.

DATED: August 31, 2020, at Honolulu, Hawaii.



KENJI M. PRICE
United States Attorney
District of Hawaii



MARC A. WALLENSTEIN
Assistant United States Attorney



/s/ *Elinor Colbourne*
ELINOR COLBOURN
Senior Counsel for Wildlife Programs

United States v. Hamada Suisan Co. Ltd.
Information
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